

**STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION
DOCKET NO. 2019-184-E
DOCKET NO. 2019-185-E
DOCKET NO. 2019-186-E**

Docket No. 2019-184-E

South Carolina Energy Freedom)	
Act (H.3659) Proceeding to)	
Establish Dominion Energy)	
South Carolina, Inc. Standard Offer)	INTERVENORS' JOINT PETITION FOR
Avoided Cost Methodologies,)	REHEARING OR RECONSIDERATION
Form Contract Power Purchase)	
Agreements, Commitment to Sell)	
Forms, and Any Other Terms or)	
Conditions Necessary)	
(Includes Small Power Producers)	
as Defined in 16 United States)	
Code 796, as Amended))	

Docket No. 2019-185-E

South Carolina Energy Freedom)	
Act (H.3659) Proceeding to)	
Establish Duke Energy)	
Carolinas, LLC's)	
Standard Offer, Avoided Cost)	INTERVENORS' JOINT PETITION FOR
Methodologies, Form Contract)	REHEARING OR RECONSIDERATION
Power Purchase Agreements,)	
Commitment to Sell Forms,)	
and Any Other Terms or)	
Conditions Necessary)	
(Includes Small Power Producers)	
as Defined in 16 United States)	
Code 796, as Amended) - S.C. Code)	
Ann. Section 58-41-20(A))	

Docket No. 2019-186-E

South Carolina Energy Freedom)
 Act (H.3659) Proceeding to)
 Establish Duke Energy)
 Progress, LLC's)
 Standard Offer, Avoided Cost)
 Methodologies, Form Contract)
 Power Purchase Agreements,)
 Commitment to Sell Forms,)
 and Any Other Terms or)
 Conditions Necessary)
 (Includes Small Power Producers)
 as Defined in 16 United States)
 Code 796, as Amended) S.C. Code)
 Ann. Section 58-41-20(A))

**INTERVENORS' JOINT PETITION FOR
 REHEARING OR RECONSIDERATION**

Pursuant to S.C. Code Ann. § 1-23-320, 58-27-2150, 58-41-20, and S.C. Code Ann. Regs. 103-825 and 103-854, and applicable South Carolina law, Intervenor Johnson Development Associates, Incorporated ("JDA") and South Carolina Solar Business Alliance, Incorporated ("SCSBA") (Together "Intervenors") hereby respectfully petition the Public Service Commission of South Carolina ("Commission") to reconsider, in part, its actions and conclusions in Order No. 2019-111-H ("Order").

On July 17, 2019, the Commission issued Order No. 2019-524 which set the hearing date in Docket Nos. 2019-185-E and 2019-186-E for the week of October 21, 2019. On September 23, 2019, the Commission issued the Order changing the date to commence hearings in Docket Nos. 2019-185-E and 2019-186-E to October 18, 2019. The Order also explained the presentation of the Commission Consultant's Final Report.

Intervenors ask the Commission to reconsider this matter as follows:

1. This Commission is subject to the South Carolina Administrative Procedures Act ("APA"). *S.C. Code Ann. § 1-23-310*. The APA requires that "all parties must be

- afforded an opportunity for hearing after notice of not less than thirty days”. *S.C. Code Ann. § 1-23-320(A)*. The Commission’s Order modifying the hearing dates in Docket Nos. 2019-185-E and 2019-186-E from the week of October 21, 2019, to October 18, 2019, does not afford all parties the requisite notice. The Commission should revert back to the previously set date of the week of October 21, 2019, as the date to begin hearings so as to be in compliance with the APA.
2. Act No. 62 of 2019 requires that “[a]ny decisions by the commission shall be just and reasonable to the ratepayers of the electrical utility, in the public interest, consistent with PURPA and the Federal Energy Regulatory Commission's implementing regulations and orders, *and nondiscriminatory to small power producers*; and shall strive to reduce the risk placed on the using and consuming public. *S.C. Code Ann. § 58-41-20* (emphasis added). The Order essentially forces Intervenors, but not the utilities, to participate in hearings and litigate multiple proceedings against three utilities in one calendar week. This is inconsistent with the nondiscriminatory requirements of the Act. As such, the Commission should, at a minimum, revert back to the previously adopted schedule set in Order No. 2019-524 which allows Intervenors the same courtesy that the utilities receive of not having multiple hearings in a single calendar week.

CONCLUSION

For the reasons set forth above, Intervenors request that this Commission revert to the previously set hearing dates for Docket Nos. 2019-185-E and 2019-186-E for the week of October

21, 2019, and reconsider its action taken regarding scheduling in the Order issued on September 23, 2019.

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September 25, 2019
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